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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVIE KYLE BRANSTETTER,

Defendant.

Case No. 2:21-mj-00815-DJA

**STIPULATION TO CLOSE CASE**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney and Mina Chang, Assistant United States Attorney, counsel for the United States of America, and Sean P. Sullivan, Esq., counsel for defendant Davie Kyle Branstetter, that this case be closed.

This Stipulation is entered into for the following reasons:

1. On March 23, 2022, defendant Davie Kyle Branstetter entered into a Petty Offense Plea Agreement with the United States in which he agreed to plead guilty to Count One of the Complaint, Operating a Motor Vehicle while Under the Influence of Alcohol, in violation of 36 C.F.R. § 4.23(a)(1). ECF No. 7.

2. The parties agreed to recommend that defendant be sentenced to one year of unsupervised probation with the following special conditions: (i) pay a \$500 fine and a mandatory \$10 penalty assessment; (ii) attend and complete the Lower Court Counseling's (1) DUI course and (2) Victim Impact Panel; (iii) complete an eight [hour] online alcohol awareness course; (iv) not return to Lake Mead National Recreation Area for a period of six months; and (v) not violate any local, state, or federal laws. ECF No. 7 at 2.
3. The parties further agreed that if defendant successfully completed special conditions (i), (ii), (iii), and (iv) within six months of his unsupervised probation, the parties would allow defendant to withdraw his guilty plea to Count One; the United States would move to amend Count One to a charge of Reckless Driving in violation of 36 C.F.R. § 4.2 and N.R.S. 484B.653; defendant would plead guilty to amended Count One; and the parties would jointly agree that the original sentence be applied to amended Count One. *Id.*
4. On March 23, 2022, this Court sentenced defendant pursuant to the parties' plea agreement. *See* ECF No. 6.
5. Since commencing his term of unsupervised probation, defendant has successfully completed conditions (i), (ii), (iii), and (iv). *See* Ex. A.
6. Accordingly, the United States moves to amend Count One of the Complaint to a charge of Reckless Driving in violation of 36 C.F.R. § 4.2 and N.R.S. 484B.653 ("Amended Count One").

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- 1 7. Defendant hereby pleads guilty to Amended Count One of the Complaint.
- 2 8. The parties jointly request that the original sentence be applied to Amended Count One
- 3 and for the case to be closed.
- 4

5 DATED this 12th day of October, 2022.

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7 Respectfully submitted,

8 JASON M. FRIERSON  
Acting United States Attorney

9

10 /s/ Sean P. Sullivan  
SEAN P. SULLIVAN  
11 Counsel for Defendant BRANSTETTER

/s/ Mina Chang  
MINA CHANG  
Assistant United States Attorney

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVIE KYLE BRANSTETTER,

Defendant.

Case No. 2:21-mj-00815-DJA

**ORDER**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:


1. Defendant Davie Kyle Branstetter has successfully completed the conditions of his sentencing.

**ORDER**

IT IS HEREBY ORDERED that Count One is amended to Reckless Driving in violation of 36 C.F.R. § 4.2 and N.R.S. 484B.653; and

IT IS FURTHER ORDERED that this case be closed.

DATED this 13<sup>th</sup> day of October, 2022.

  
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HON. DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE

# EXHIBIT A



# DUI SOCIETY



**State of Nevada**

## CERTIFICATE OF COMPLETION

**Davie K Branstetter**  
**has successfully completed**

### **NEVADA DUI (LEVEL 1) 8-HOUR ONLINE COURSE**

**Nevada DMV Approved DUI School: #01 DUI Society**

**DMV License #DU1000050042**

**Completed: January 16, 2022**

**Student Date of Birth: 06/20/1957**



  
\_\_\_\_\_  
**School Director**

## Certificate of Completion

LRS Systems, Ltd.

1900 East Sahara Ave.  
Las Vegas, NV 89104

### Victim Impact Panel Online

This is to certify that

Dave Branstetter

has completed a Victim Impact Panel Online session and has met the requirements for successful completion of this program.

☒ Completed on 04-07-2022 04:47:23 AM

Court:

Case No.:

Frank Karr  
LRS Systems, Ltd.

Return to Court Date:

United States District Cour

703385 99885ab0-1bd1-

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2-21-mj-815-DJA

2022-03-23

**It is your responsibility to contact the court and provide or verify completion of this course.** This certificate can be used in most cases to verify completion and should be kept with your records.

Signature:

Dave Branstetter

Date:

April 17, 2022



**BOULDER CITY MUNICIPAL COURT**  
**501 AVENUE G BOULDER CITY, NV 89005**  
**PHONE: (702) 293-9278 / FAX: (702) 293-9345**  
**MONDAY through THURSDAY 7AM: to 5:30 PM**  
 Visit our web page at: [www.bcnv.org](http://www.bcnv.org)

This is to introduce DAVE BRANSTETTER who is a participant of the Boulder City Municipal Court programs. Please verify full meeting attendance at AA and/or NA. Thank you.

	DATE	TIME	CHAPTER	SECRETARY'S INITIALS	PHONE #
1	4/8/21	6:30p	LIF	Ryan M	702-930-4960
2	4/9/21	5pm	LIF	Ryan M	702-930-4960
3	4/14/21	5pm	LIF	Donny	702-208-4782
4	4/15/21	6:30	Lost & Found Men's	Mark St. A.	702-480-8990
5	4/22/21	6:30	LIF Men's Mtg.	Mark St. A.	702-480-8990
6	4/29/21	6:30	LIF Men's Mtg.	Mark St. A.	702-480-8990
7	5/6/21	6:30	LIF Men's Mtg.	Mark St. A.	702-480-8990
8	5/13/21	6:30	LIF Men's Mtg.	Mark St. A.	702-480-8990
9	5/20/21	6:30	LIF Men's Mtg.	Mark St. A.	702-480-8990
10	5/27/21	6:30	LIF Men's Mtg.	Mark St. A.	" " "
11	6/3/21	6:30	LIF Men's Mtg.	Mark St. A.	" " "
12	6/10/21	6:30	LIF Men's Mtg.	Mark St. A.	" " "
13	6/17/21	6:30	LIF Men's Mtg.	Mark St. A.	" " "
14	7/1/21	6:30	LIF Men's Mtg.	Mark St. A.	" " "
15	7/8/21	6:30	LIF Men's Mtg.	Mark St. A.	" " "
16	7/15/21	6:30	LIF Men's Mtg.	Mark St. A.	" " "
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**PLEASE BRING THIS FORM BACK TO COURT ON YOUR ASSIGNED RETURN COURT DATE**

AA Las Vegas  
 Address: 1431 E. Charleston Blvd, Suite 15 Las Vegas, NV 89108-1734  
 Phone: (702) 598-1888 (24 hours) Email: [lvcentraloffice@aol.com](mailto:lvcentraloffice@aol.com)